

Serial No.: 09/933,615

Attorney Docket No.: 2001P15259US

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REMARKS

Upon entry of the instant Amendment, Claims 1-18 are pending. Claims 1, 3, 4, 6, 7, 11, 14, 16, and 17 have been amended to more particularly point out Applicants' invention. Claims 1 and 14 additionally have been amended to remedy various informalities.

Claims 1, 6, 7, and 14 were objected to because of various informalities. Claims 1 and 14 have been amended in accordance with the suggestion in the Official Action. Applicants respectfully submit, however, that the absence of parenthetical commas in claims 6 and 7 is, in fact, appropriate. As such, Applicants believe the basis for the objections is obviated.

Claims 1-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Ma et al., U.S. Patent No. 6,795,867 ("Ma"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single, prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Ma.

As discussed in the Specification, some embodiments of the present invention include a plurality of Internet Protocol voice networks, such as telephony over LAN (ToL) networks, including primary gatekeepers. A Service Provider may maintain a backup gatekeeper for each of the ToL networks. Access to the backup gatekeeper may be a subscription service provided by the service provider. The backup gatekeeper maintains a database associated with all the ToL networks it provides backup service to. A proxy server or router receives all gatekeeper requests and first tries to forward the request to the primary gatekeeper. If the appropriate gatekeeper fails to respond, the proxy server or router forwards the request to the backup gatekeeper, which, if the user is a subscriber, handles the call.

Thus, claim 1 has been amended to recite "wherein access to the backup gatekeeper is provided by subscription to users of particular ones of the plurality of local VoIP networks;" claim 4 has been amended to recite "wherein access to the backup gatekeeper is provided by subscription to users of the individual ones of the plurality of local VoIP networks;" claim 6 has been amended to recite "wherein selection of

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individual ones of said local gatekeeper modules is based on subscription to users of individual ones of a plurality of local VoIP networks;" claim 7 has been amended to recite "wherein access to individual ones of said local gatekeeper modules in the backup gatekeeper is provided by subscription to users of the individual ones of the plurality of voice over packet networks;" claim 11 has been amended to recite "providing backup gatekeeper services from a backup gatekeeper if any of said local gatekeepers are determined by an associated router or proxy server to not be available and a user of a not available local gatekeeper is determined to be a subscriber to backup gatekeeper services;" claim 14 has been amended to recite "said backup gatekeeper configured to provide gatekeeper services to individual ones of said local VoIP networks if a local gatekeeper servicing one of said local VoIP networks is not available and a user of said one of said local VoIP networks is a subscriber to backup gatekeeper services;" and claim 16 and 17 have been amended to recite "providing a backup gatekeeper, said backup gatekeeper configured to provide gatekeeper services to individual ones of said local VoIP networks if a local gatekeeper servicing said local VoIP network is not available and a user of said local VoIP network is a subscriber to backup gatekeeper services."

In contrast, Ma relates to a Load Management Unit (LMU) which is typically provided on each gatekeeper in a network or on each gatekeeper in a variety of networks. Ma nowhere, however, provides that backup services can be provided on a subscriber-only basis, as generally recited in the claims at issue.

In addition, Applicants note that claims 2-5, 7, and 15-18 recite storing or maintaining local gatekeeper profiles in a database. As discussed in the Specification, these can include determining which services are available for a particular subscriber and whether any customer-specific limits apply. Applicants respectfully submit that such features are neither taught, suggested, or implied by Ma, nor are they inherent. Indeed, since Ma does not provide for a subscriber-based system, there is not reason for Ma to provide such local gatekeeper databases. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections.


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For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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